

UNITED STATES DISTRICT COURT
DISTRICT OF NORTH DAKOTA
SOUTHEASTERN DIVISION

USA Plaintiff

v

3:12-cr-119-01

Charles William Carlton
Defendant

CLERK'S MINUTES OF PROCEEDING Arraignment

U.S. Magistrate Judge Karen K. Klein via
video to Grand Forks
Recorded: 130129.000
USPO: Heather A. Heck
Interpreter: n/a

Date: Tuesday, Jan. 29, 2013
Time: 1:42 PM
Law Clerk: Amy Strankowski
Deputy Clerk: JoAnn Ordahl
Recess: 2:00 PM

Appearances: **AUSA Chris Myers**
Attorney Alex Reichert CJA sitting in Grand Forks
(client is in Fargo)

Attorney Reichert met with his client prior to the hearing today via video.

Dft. previously appeared in the District of Texas.

Dft. was released on bond, Gov't moved to stay the release order, Judge Malloy denied such motion, and Gov't in this district filed an appeal to Judge Erickson to stay order. Judge Erickson granted stay.

Hearing on Gov't motion re: detention/release is set before Judge Erickson Feb.20th. Judge Erickson will move that date to an earlier date now that Mr. Carlton has been arraigned.

The Court today will not take up the custody/release status as it is before Judge Erickson. Dft advised of his rights and right to counsel.

Dft. will complete a financial affidavit and will be submitted to the court.

This court understood that dft. retained counsel in Texas, but now will request court appointed counsel.

Dft. has 10th grade education. Dft. does not have any illness/disabilities. Dft. has not had any medications/substance.

Dft. has read the Indictment and waives reading of the charges.

Court states penalty. Prior felony level drug conviction - penalty increases.

Forfeiture could apply.

Dft. has the right to a jury trial.

Dft. enters a Not Guilty Plea to counts 1,2,3.

Jury Trial set before Judge Erickson March 19, 2013 (est. 3 wks)

Pretrial motion deadline - 28 days prior to trial.

Stipulated Discovery.

Judge Klein will not address detention issue today.

Attorney Reichert concerned that his client has been in custody for 30 days.